

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1, 3-16, and 19-20 were pending in the application, of which Claims 1, 19, and 20 are independent. In the Office Action dated December 7, 2007, Claims 1, 3-16, and 19-20 were rejected under 35 U.S.C. § 103(a) and Claims 1, 19, and 20 were objected to. Following this response, Claims 1, 4-5, 7, 9-16, and 19-20 remain in this application with Claims 3, 6, and 8 being cancelled by this amendment without prejudice or disclaimer. Applicant hereby addresses the Examiner's rejections in turn.

I. Interview Summary

Applicant thanks Examiner Wong and Senior Examiner Bashore for the courtesy of a telephone interview on January 28, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references do not render obvious the claims as amended. The Examiners requested clarification on the graphics associated with the menu items and the claims have been further amended in response. No agreement was reached regarding patentability.

II. Objection to the Claims

In the Office Action dated December 7, 2007, the Examiner objected to Claims 1, 19, and 20 as containing various informalities. Claims 1, 19, and 20 have been amended to address these informalities and do not narrow the claimed subject matter.

Applicant respectfully submits that the amendments overcome this objection and add no new matter.

III. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 1 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. Patent App. No. 2003/0137539 ("*Dees*") in view of U.S. Patent No. 6,476,828 ("*Burkett*"). Dependent Claims 3-9 and 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dees* in view of *Burkett* and further in view of U.S. Pub. Patent App. No. 2002/0112237 ("*Kelts*"). Furthermore, dependent Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dees* in view of *Burkett* and further in view of U.S. Pub. Patent App. No. 2004/0048607 ("*Kim*"). Claims 1, 19 and 20 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "identifying a graphic and a text label associated with the at least one menu item to be displayed in a preview component of the menu when the at least one menu item is selected, wherein the preview component defines a statically positioned screen area separate from the items component and provides data regarding a currently selected menu item." Amended Claims 19 and 20 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 11, lines 15-21.

In contrast, *Dees* at least does not teach or suggest the aforementioned recitation. For example, *Dees* merely discloses a storage medium comprising a user interface definition document, a first style sheet document, and a second style sheet document. (See paragraph [0035].) *Dees* further discloses that it is common to provide style information for abstract elements, including user interface elements, by specifying one or more so-called properties for those elements. (See paragraph [0038].) However, as the Examiner states, *Dees* does not disclose displaying a graphic in a preview component when a menu item is selected. Therefore, *Dees* does not identify graphics and text to be displayed in a statically positioned preview area when a menu item is selected. *Dees* merely discloses style sheets for defining property values such as fonts, colors, and images.

Furthermore, *Burkett* does not overcome *Dees*' deficiencies. *Burkett* merely discloses building and displaying dynamic graphical user interfaces (GUIs) that can be updated automatically without requiring code modification and recompiling. (See col. 1, lines 39-42.) In *Burkett*, an Extensible Markup Language (XML) data group is selected from a plurality of XML data groups in response to a request to display a particular GUI on a computer display. (See col. 1, lines 42-45.) Like *Dees*, *Burkett* does not identify graphics and text to be displayed in a statically positioned preview area when a menu item is selected. *Burkett* merely discloses XML data groups selected to display a GUI.

Also, *Kelts* does not overcome *Dees*' and *Burkett*'s deficiencies. *Kelts* merely discloses a navigation map for organizing information sources. (See *Kelts*, Abstract.) *Kelts* provides a map information element for data relating a currently selected map element and a separate content description element for a summary of broadcast

programs or media. (See *Kelts*, para. [0094].) *Kelts* also provides a picture-in-picture window for displaying a live video feed. (See *Kelts*, para. [0094].) *Kelts* may also provide a logo in the map information element, but nowhere does *Kelts* disclose providing a different preview graphic for the selected menu item. (See *Kelts*, Fig. 1.) Like *Dees* and *Burkett*, *Kelts* does not disclose specific graphics and text associated with menu items to be displayed in a statically positioned preview area when a menu item is selected. Rather, *Kelts* merely discloses providing information regarding currently selected map elements and a separate picture display for a live video feed.

Combining *Dees* with *Burkett* and *Kelts* would not have led to the claimed invention because *Dees*, *Burkett*, and *Kelts*, either individually or in combination, at least do not disclose or suggest "identifying a graphic and a text label associated with the at least one menu item to be displayed in a preview component of the menu when the at least one menu item is selected, wherein the preview component defines a statically positioned screen area separate from the items component and provides data regarding a currently selected menu item," as recited by amended Claim 1. Amended Claims 19 and 20 each includes a similar recitation. Accordingly, independent Claims 1, 19, and 20 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 1, 19, and 20.

Dependent Claims 4-5, 7, and 9-16 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 4-5, 7, and 9-16.

IV. Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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